

Washington, Saturday, June 4, 1938

Rules, Regulations, Orders

TITLE 19—CUSTOMS DUTIES

BUREAU OF CUSTOMS

[T. D. 49586]

ANTIDUMPING—REVOCATION OF CERTAIN FINDINGS OF DUMPING

MAY 31, 1938.

To Collectors of Customs and Others Concerned:

As it appears from reports received from all collectors of customs and appraisers of merchandise and from other evidence before the Department that the practices which necessitated the issuance of the following findings of dumping have been discontinued and that there has not been any importation of merchandise of a class or kind covered by any finding of dumping specified below at less than fair value since January 1, 1933, the following Bureau circular letters and treasury decisions are revoked as of this date:

Commodity	Country or subdivision	Date	B. C. L. or T. D.
Paper, goatskin parchment.	England.....	10-11-21	B. C. L.
Embroideries, cotton.	Switzerland....	11- 1-21	B. C. L.
Hamburgs.....	Austria.....	1-13-22	B. C. L.
Paper, sheathing....	British Columbia.	4-18-22	39067
Flour, wheat.....	Canada.....	4-22-22	39071
Syringes, fountain.	Canada.....	5-26-22	39139
Raspberries, canned, red.	Ontario, Canada.	6-19-22	39177
Iron oxide.....	Quebec, Canada.	7-26-22	39210
Brick, plastic.....	Quebec, Canada.	10-13-22	39272
Canvas.....	England.....	10-30-22	39294
Roofing, deadening felt.	British Columbia.	11- 4-22	39303
Balls, rubber.....	Germany.....	1-20-23	39422
Castings, No. 1 spuds, malleable.	Ontario, Canada.	2-26-23	39481
Veneers, or thin lumber.	Quebec, Canada.	4-16-23	39583
Paper, white sulphite wrapping, or bag.	Germany.....	7- 1-25	41005
Strychnine.....	Switzerland....	7-28-25	41045
Butyl acetate.....	Germany.....	2-19-30	43869
Acid, stearic.....	Holland.....	9-12-33	46816

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 38-1565; Filed, June 3, 1938; 11:34 a m.]

TITLE 25—INDIANS

OFFICE OF INDIAN AFFAIRS

AMENDING SECTIONS 6 AND 7 OF THE LEASING REGULATIONS

To all Superintendents:

Communications have been received from numerous superintendents from time to time concerning principally the leasing of agricultural land which is now in the possession of the heirs of a deceased allottee. After considering the problem the conclusion has been reached that modification should be made of Sections 6 and 7 of Departmental regulations, approved May 9, 1929.

Accordingly, existing Sections 6 and 7 of these regulations are hereby modified to read as follows:

"SECTION 6. Leases upon the land of Indians non compos mentis, nonresident allottees whose whereabouts are unknown to the superintendent and who therefore cannot be reached, and all minors shall be made by the superintendent as ex-officio guardian. Superintendents shall not make leases for competent nonresident allottees whose whereabouts are known without their written authority. Leases on the land of minors should not, except for special reasons beneficial to the minors' interests, extend beyond the age of majority under the state laws. Any Indian who supports his dependent minor children and desires to use their land for farming or grazing purposes may do so without charge and use or dispose of the resultant crops and livestock without accounting therefor.

"SECTION 7. Leases of inherited lands where the heirs have not been officially determined may be made by the superintendent and should be limited, except in unusual cases, to the period of one year. Rentals shall be deposited to the credit of the estate pending the formal determination of the heirs. After the heirs of an estate have been determined leases on the land should be made by the heirs. When the heirs owning a substantial majority in interest are desirous of leasing their inherited trust or restricted lands, the Superintendent is

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authorized to approve such a lease provided the heirs holding a minority interest in the estate have been notified of the proposed lease and have not objected to such a lease. In case the heirs holding such minority interest have objected to the approval of a lease on such inherited lands, the superintendent, if in his judgment owners of the majority interest are best served, may approve the lease, and in such case, the share of the rentals that would accrue thereunder to the owners of the minority interest shall be held in escrow by the superintendent to be paid to such heirs upon their request or when

[SEAL]

WAYNE C. TAYLOR,

Acting Secretary of the Treasury.

[F. R. Doc. 38-1565; Filed, June 3, 1938; 11:34 a m.]

authorized to approve such a lease provided the heirs holding a minority interest in the estate have been notified of the proposed lease and have not objected to such a lease. In case the heirs holding such minority interest have objected to the approval of a lease on such inherited lands, the superintendent, if in his judgment owners of the majority interest are best served, may approve the lease, and in such case, the share of the rentals that would accrue thereunder to the owners of the minority interest shall be held in escrow by the superintendent to be paid to such heirs upon their request or when



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and if they sign the lease. Such minority owners may, however, be permitted through partition or other arrangement with their co-heirs to make use of such part of the land as may be equivalent to their undivided interests in the whole, in which event the rentals otherwise due them and held in escrow shall be refunded to the lessee. Approved leases executed by the heirs holding a majority interest shall be regarded as covering the entire acreage included in the lease and no refund of any portion of the rentals paid thereunder shall be made to the lessee save when by partition or other arrangement, heirs not parties to the lease have been permitted to use a portion of the land included in the lease."

In all cases in which the heirs holding a minority interest in the inherited lands do not agree to the leasing of such lands the following covenant shall be included in the lease before execution thereof by the parties:

"The following heir(s) to the land covered by this lease; namely,

who hold a minority interest therein, having refused to agree with the heirs holding a majority interest therein to lease the land, it is understood and agreed by the parties to this lease that if during the existence of the lease the said named heirs holding a minority interest shall desire to use and do actually use an area equal to their share of the undivided interest in the leased premises, or do have partitioned to them their proper share of the leased land, thus preventing the lessee from using the entire area covered by the lease, proper credit shall be given to the lessee and

at the expiration of the lease the proper share of the leased rental held in escrow by the superintendent for the dissenting heirs to the lease shall be paid to the lessee. It is further agreed that at any time during the life of the lease the holders of the minority interest shall be permitted to sign the lease."

This change in the regulations approved May 9, 1929, should permit an equitable adjustment in all proper cases and at the same time insure income from the inherited allotments where the heirs holding a majority interest in the land desire to lease the allotment. You will govern yourself accordingly.

Sincerely yours,

WILLIAM ZIMMERMAN, Jr.,
Assistant Commissioner.

Approved, December 18, 1936.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 38-1562; Filed, June 3, 1938; 9:48 a. m.]

EXTENSION OF REGULATIONS GOVERNING LEASING OF ALLOTTED AND TRIBAL LANDS FOR AGRICULTURAL, ETC., PURPOSES

The Honorable THE SECRETARY OF THE INTERIOR.

MY DEAR MR. SECRETARY: The regulations governing leasing of allotted and tribal lands for agricultural, grazing and business purposes, approved May 9, 1929, as amended from time to time, are being codified.

Under the Reorganization Act of June 18, 1934, as amended on June 15, 1935, and May 1, 1936, and the Oklahoma Welfare Act of June 26, 1936, the law has been changed with respect to leasing tribal lands where constitutions, by-laws and charters have been adopted by organized tribes. It is necessary, therefore, to modify these regulations to bring them consistent with the provisions of these acts.

The amendment of November 6, 1930 to the leasing regulations eliminated sections 11 and 12 and substituted one new section, which will hereafter be referred to in the regulations, as now being codified, as section 11. This leaves the regulations without a section numbered 12. The following modification, to appear in the regulations as section 12 hereafter, is recommended for your approval:

"Sec. 12. *Organized tribes.*—These regulations shall apply to tribes organized pursuant to the Reorganization Act of June 16, 1934 (48 Stat. 988), as amended June 15, 1935 (49 Stat. 378) and May 1, 1936 (49 Stat. 1250), and the Oklahoma Welfare Act of June 26, 1936 (49 Stat. 1967), except where inconsistent with the provisions of the constitution, bylaws, or charter granted to such tribes pursuant thereto, or any ordinance or resolution adopted by such

tribes pursuant to the authority of such constitution, bylaws and charter. The provisions of the constitution, bylaws, charter and ordinances and resolutions, adopted by such tribes pursuant thereto, dealing with leases and permits of tribal lands shall govern where they conflict with the provisions of the regulations."

As the time for codifying these regulations has nearly expired, it is recommended that this amendment to the said regulations be given early consideration so that they may be codified as required by the Federal Register Act of July 26, 1935, as amended.

Sincerely yours,

WILLIAM ZIMMERMAN, Jr.,
Assistant Commissioner.

Approved, May 18, 1938.

E. K. BURLEW,
Acting Secretary of the Interior.

[F. R. Doc. 38-1563; Filed, June 3, 1938; 9:48 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

WAR DEPARTMENT

MODIFICATION OF REGULATIONS TO GOVERN THE USE AND NAVIGATION OF CHESAPEAKE BAY WITHIN THE FIRING RANGE OF FORT MONROE MILITARY RESERVATION

Paragraph No. 1 of the fishing and navigation regulations approved by the Secretary of War on July 5, 1935, to govern the use and navigation of Chesapeake Bay within the firing range of Fort Monroe Military Reservation, is modified to read as follows:

1. The firing range off Fort Monroe includes the waters of Chesapeake Bay within the following areas: A sector, the northerly limit of which bears North 30 degrees East, and the southerly limit of which bears North 50 degrees 13 minutes East, from No. 10 searchlight tower on the Fort Monroe Reservation, both limits having a length of 15,000 yards; an adjacent sector the northerly limit of which bears North 50 degrees 13 minutes East and the southerly limit of which bears South 63 degrees 28 minutes East from No. 10 searchlight tower, both limits having a length of 20,000 yards; and an adjacent triangular area lying between the southerly limit of the 20,000 yard radius sector, and a line bearing South 75 degrees East from Fort Monroe light, having a length of 19,800 yards (approx.). All bearings are referred to true meridian.

Approved, May 18, 1938.

[SEAL] HARRY H. WOODRING,
Secretary of War.

[F. R. Doc. 38-1561; Filed, June 3, 1938; 9:45 a. m.]

Notices

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 256]

ALLOCATION OF FUNDS FOR LOANS

MAY 31, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Virginia 9002B1 Craig-----	\$70,000

JOHN M. CARMODY,
Administrator.

[F. R. Doc. 38-1564; Filed, June 3, 1938; 9:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its of-

fice in the City of Washington, D. C., on the 28th day of May, A. D. 1938.

[File No. 43-102]

IN THE MATTER OF PEOPLES WATER AND GAS COMPANY

ORDER

Peoples Water and Gas Company, a subsidiary of a registered holding company, having filed with this Commission a declaration pursuant to Section 7 of the Public Utility Holding Company Act of 1935 regarding the reissuance of \$400,000 face amount of First Mortgage 5% Gold Bonds, Series A, to its parent, Federal Water Service Corporation;

A hearing on this application having been duly held after appropriate notice;¹ the record in this matter having been duly considered; and the Commission having made and filed its findings herein;

It is ordered, That such declaration be and become effective forthwith on the condition, however, that the reissuance of the aforesaid \$400,000 face amount of First Mortgage 5% Gold Bonds, Series A, shall be effected in substantial compliance with the terms and conditions set

¹ 3 F. R. 259 (DI).

forth in and for the purposes represented by said declaration.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 38-1566; Filed, June 3, 1938; 12:52 p. m.]

REGISTRATION STATEMENT

Form U5B, Registration Statement,¹ was adopted by the Commission on May 17, 1938, pursuant to the provisions of the Public Utility Holding Company Act of 1935, and was filed with the Division of the Federal Register, The National Archives, on June 2, 1938, at 12:51 p. m. (F. R. Doc. 38-1560).

ANNUAL SUPPLEMENT TO REGISTRATION STATEMENT

Form U5S, Annual Supplement to Registration Statement (Form U5B),¹ was adopted by the Commission on May 17, 1938, pursuant to the provisions of the Public Utility Holding Company Act of 1935, and was filed with the Division of the Federal Register, The National Archives, on June 2, 1938, at 12:51 p. m. (F. R. Doc. 38-1559).

¹ Requests for copies should be addressed to the Securities and Exchange Commission.

